

REMARKS

This Amendment is submitted in response to the Office Action mailed on August 25, 2008. Claims 1, 2, 17 and 21 have been amended, and claims 1-21 remain pending in the present application. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and requests reconsideration of the application in this regard.

Applicants have amended each of claims 1, 2, 17 and 21 to correct clear typographical or clerical errors and Examiner's entry of these amendments is respectfully requested.

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over iButton and further in view of Richard et al., U.S. Patent No. 6,564,120. Applicants respectfully traverse these rejections for the reasons set forth below and respectfully request that the rejections be withdrawn.

In particular, Examiner will note that independent claim 1 recites, as part of the claimed combination, a storage system including a real-time clock that tracks the timing of events associated with the items being monitored with the tracking devices, including temperature, location and access to the plurality of items by a user through an identification of the user. Independent claim 21 recites, as part of the claimed combination, a storage system including a real-time clock that tracks the timing of events associated with the items being monitored with the tracking means, including

tracking the location and user access to the plurality of items, with the user being identified electronically via an associated identification.

In the rejections of independent claims 1 and 21, the Examiner asserts on Page 3 of the Office Action that, with respect to tracking temperature, location and access to a plurality of items by use of a user identification, the iButton may be used to grant its owner access to a building, a PC, a piece of equipment or a vehicle. The Examiner further asserts that the iButton includes a globally unique address.

While the iButton may be capable of granting an owner access to such items, the iButton does not track access to an item by a user and identification of the user as recited in each of independent claims 1 and 21. Rather, iButton merely discloses granting of such access which is entirely different than tracking access of the item and identification of the user as claimed. This deficiency in the teaching of iButton is not cured by any of the other prior art of record and the rejections of independent claims 1 and 21 should be withdrawn.

Moreover, iButton taken alone, or in combination with the other prior art of record, is completely silent with respect to a storage system that includes the combination of elements recited in each of independent claims 1 and 21, including a real-time clock that tracks the location of the items as recited in each of independent claims 1 and 21. While the iButton may include a globally unique address for identifying the devices as asserted by Examiner on Page 3 of the Office Action, that

globally unique address is not related to tracking a location of the item with a real-time clock as claimed. Rather, the globally unique address is used for identifying the device itself. For this reason as well, the rejections of independent claims 1 and 21 are improper and should be withdrawn.

With respect to the rejection of claim 2, Richard et al. does not teach or suggest the access control granting rights to access and identifying the access as recited in claim 2. Rather, it only describes controlling movement of the robot mechanism and not access to the storage as claimed. The other prior art of record fails to cure this deficiency.

With respect to the rejection of claim 3, Richard et al. also does not teach or suggest the historical and current information being integrated into the construction of the inner storage unit and each tracking device having a unique identifier. There is no teaching or suggestion given by the Examiner, and the other prior art of record does not cure this deficiency.

Additionally, no reason is given by Examiner with regard to the rejection of claim 7 where the electrodes of the shelf are electrically connected to a network, and of claim 8, where the items are electronically linked to the tray, with the data storage device being controlled by the processing device. The prior art of record is simply silent with respect to these claimed features.

With respect to the rejection of independent claim 16, Examiner properly recognizes that Richard et al. does not disclose attaching a mechanical arm onto a surface of a storage unit as claimed. Examiner also properly recognizes that Richard et al. does not disclose a tracking device coupled to a mechanical arm. While the iButton may be easily attached to containers of frozen or fresh foods, blood products, ETC for recording time and temperature during transfer and storage as asserted by Examiner, iButton taken alone, or in combination with the other prior art of record, including Richard et al., fails to teach or suggest the combination of steps recited in independent claim 16 and the rejection should be withdrawn.

Moreover, as claims 2-15 and 17-20 depend from allowable independent claims 1 and 16, and further as each of these claims recites a combination of elements or steps not fairly taught or suggested by the prior art of record, the rejections of these claims are submitted to be allowable as well.

Conclusion

In view of the foregoing response including the amendments and remarks, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If there is any issue that remains which may be resolved by telephone conference, the Examiner is invited to contact the undersigned in order to resolve the same and expedite the allowance of this application.

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Reply to Office Action of 8/25/08

Please see the electronic fee calculation sheet for the charge in the amount of \$1,110 for the three months extension fee as required by 37 C.F.R. § 1.17(a)(3). If any other fees are necessary, the Commissioner is hereby authorized to charge any underpayment or fees associated with this communication or credit any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

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